



LEGISLATIVE FISCAL OFFICE  
Fiscal Note

Fiscal Note On: **HB 65** HLS 12RS 442  
Bill Text Version: **ENGROSSED**  
Opp. Chamb. Action:  
  
Proposed Amd.:  
Sub. Bill For.:

<b>Date:</b> April 19, 2012	4:54 PM	<b>Author:</b> BROSSETT
<b>Dept./Agy.:</b> Corrections		
<b>Subject:</b> Home Invasion		<b>Analyst:</b> Matthew LaBruyere

CRIME

EG SEE FISC NOTE GF EX See Note

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Increases penalties for the crime of home invasion

Proposed legislation retains present law and further provides that whoever commits the crime of home invasion while armed with a dangerous weapon shall be fined not more than \$7,000 and shall be imprisoned at hard labor for not less than seven nor more than 20 years, with at least seven years of the sentence served without benefit of parole, probation, or suspension of sentence.

EXPENDITURES	2012-13	2013-14	2014-15	2015-16	2016-17	5 -YEAR TOTAL
State Gen. Fd.	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total						

REVENUES	2012-13	2013-14	2014-15	2015-16	2016-17	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Annual Total						

EXPENDITURE EXPLANATION

The proposed legislation may result in an indeterminable increase in state general fund expenditures if a defendant is convicted of a home invasion while armed with a dangerous weapon. The exact fiscal impact of the passage of this legislation is indeterminable, since the legislation amends the current crime to include home invasion while armed with a dangerous weapon and it is not known how many individuals will be convicted of this crime. However, any offender sentenced to the custody of the Department of Public Safety and Corrections increases expenditures by \$50.75 per day per offender in state facilities.

To the extent a defendant is convicted of a home invasion while armed with a dangerous weapon, the offender must serve at least 7 years of the sentence without the benefit of parole, probation, or suspension of sentence, which is an increase of 2 years compared to the current home invasion law. The increased cost to the department would not be realized until years 6 and 7 (these years are not reflected in the 5 year range shown above) of the imposed sentence since current law states the offender must serve 5 years without benefit of parole, probation, or suspension of sentence. The cost to house an offender for an additional 2 years at a state facility would be \$37,048 (1 offender x \$50.75 per day x 730 days).

According to the Department of Corrections there are currently 33 offenders incarcerated for the crime of home invasion with an average sentence of 9.23 years.

REVENUE EXPLANATION

There is no anticipated direct material effect on state revenues as a result of this measure. However, any revenue generated through the imposition of fines as a result of conviction would accrue to local government entities.

Senate	Dual Referral Rules	House	
<input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}		<input type="checkbox"/> 6.8(F)1 >= \$500,000 Annual Fiscal Cost {S}	<i>Evan Brasseaux</i>
<input type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H}		<input type="checkbox"/> 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}	Evan Brasseaux Staff Director